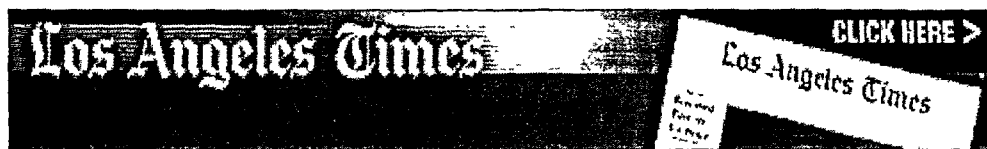


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The State; Bill Aims to Find Perchlorate Sources; If the proposal becomes law, firms would be required to report having stored 500 pounds or more of the toxic substance.

May 8, 2003; Miguel Bustillo

Concerned about the prevalence of perchlorate in California's water supplies, two state lawmakers are sponsoring legislation that would require companies to reveal whether they have possessed large quantities of the toxic rocket fuel ingredient at any time over the past half-century.

Defense contractors are already lining up in opposition, arguing that such a regulatory standard would be impossible for them to meet.

The legislation by state Sens. Nell Soto (D-Pomona) and Gloria Romero (D-Los Angeles) comes as California officials increasingly discover perchlorate contamination throughout the state. Eighty-one water systems have already been found to be tainted in 10 counties, including Los Angeles, Orange, Ventura, Riverside and San Bernardino.

"I have the most contaminated district in the state, probably in the country, and we are losing more water wells left and right," Soto said in an interview. "We have to do something, and we can't wait any longer. We keep finding out about this from everyone other than the people who contaminated the water."

Perchlorate, a salt used to make highway flares and air bags as well as missiles and other munitions, can interfere with thyroid function. It can affect early brain development and cause tumors. State and federal health officials now believe that even in tiny amounts, the chemical may cause health problems, especially among pregnant women and young children.

But the Pentagon and defense contractors, which are responsible for most of the perchlorate contamination in the nation, say their scientists believe perchlorate is dangerous only in doses many times higher.

Concern over perchlorate contamination has largely been focused on drinking water, but recent studies have suggested that the rocket fuel ingredient may also be present in lettuce.

The lower Colorado River, which provides the water used to grow most of the nation's winter vegetables, is polluted with perchlorate leaking from the site of an old Nevada rocket fuel factory.

The California legislation, SB 1004, would require that companies reveal whether they have stored 500 or more pounds of perchlorate in the state at any time since 1950. Firms that have possessed those amounts would have to make the disclosures by 2005, and the information would be made public in a report by regional water quality officials.

In addition, to help finance government cleanups, the measure would impose fees on any company now storing perchlorate and would carry criminal and civil penalties for any firm that fails to disclose leaks.

Gov. Gray Davis has taken no position on the legislation, a spokesman said. But Soto said she was counting on support from her fellow Democrat.

Industry representatives point out that state law already requires companies to notify the California Office of Emergency Services and water quality officials of any hazardous chemical discharges. They argue that turning back the clock on disclosure half a century, and requiring that they report the mere possession of perchlorate, is unfair.

"SB 1004 establishes an administrative burden that may be impossible to fulfill," GenCorp, the parent company of military contractor Aerojet, states in a letter opposing the bill.

Aerojet operates facilities in the San Gabriel Valley and in the Rancho Cordova area outside Sacramento, two of the places where perchlorate pollution has been discovered.

"The detailed record keeping of the nature assumed in SB 1004 was simply not a common practice until more recently," the letter states. "Thus, many companies may not have retained records regarding the quantity and method of storage of perchlorate dating back as far as 1950."

Soto fumed when told of the industry arguments, saying that defense contractors were hardly the victims in the unfolding saga of perchlorate pollution.

"What is fair? Is it fair to have people drinking polluted water? To think that children may be born with brain defects because of this?" Soto said. "All this bill requires is for people to disclose whether they used perchlorate, so we can figure out where it is so we can clean it up."

Environmental groups and local government officials contend that companies have not revealed all they know about their role in perchlorate contamination. They support the legislation, saying that tougher disclosure requirements are needed to determine the extent of the problem.

"We've been pressing for the perchlorate polluters to come clean," said Bill Walker, West Coast vice president for the Environmental Working Group, a nonprofit research organization that recently discovered perchlorate in samples of supermarket lettuce. "So far, it hasn't happened."